

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**SOCIAL POSITIONING INPUT
SYSTEMS, LLC,**

Plaintiff,

vs.

TRACKIMO, INC.,

Defendant.

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Case No:1:21-cv-2036

PATENT CASE

**PLAINTIFF SOCIAL POSITIONING INPUT SYSTEMS, LLC’S ANSWER TO
DEFENDANT TRACKIMO, INC.’S COUNTERCLAIMS**

Now comes Plaintiff, Social Position Input Systems, LLC (“Plaintiff,” “Counterclaim Defendant,” and/or “SPIS”), by and through undersigned counsel, pursuant to Federal Rules of Civil Procedure 12, without admission of the legal sufficiency thereof and responding only to the factual allegations therein, and states as follows for its Answer and Defenses to Defendant and Counter Plaintiff TRACKIMO, Inc.’s (“Defendant,” “Counterclaim Plaintiff,” and/or “TRACKIMO”) Counterclaims [Doc. 12] (hereafter the “Counterclaims”) as follows:

PARTIES

1. SPIS has insufficient knowledge of the allegations contained in paragraph 1 and therefore denies same.
2. Admitted.

JURISDICTION

3. SPIS incorporates by reference each of its answers in paragraphs 1-2 above.
4. SPIS admits that jurisdiction is proper.
5. Admitted.

6. SPIS admits that venue is proper.

COUNT I

7. SPIS incorporates by reference each of its answers in paragraphs 1-6 above.

8. SPIS admits that an actual controversy exists concerning infringement of the '365 Patent.

9. Denied.

10. SPIS admits that TRACKIMO seeks a declaratory judgment. SPIS denies any remaining allegations contained in paragraph 10.

SECOND COUNTERCLAIM

11. SPIS incorporates by reference each of its answers in paragraphs 1-10 above.

12. SPIS admits that an actual controversy exists regarding validity of the '365 Patent. SPIS denies any remaining allegations contained in paragraph 12.

13. Denied.

14. Denied.

15. SPIS admits that TRACKIMO seeks a declaratory judgment. SPIS denies any remaining allegations contained in paragraph 15.

16. Denied.

PRAYER FOR RELIEF

To the extent a response is required, SPIS denies that TRACKIMO is entitled to any of the relief requested.

Dated: April 12, 2021

Respectfully submitted,

/s/ Jay Johnson

JAY JOHNSON

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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2021, I electronically filed the above document(s) with the Clerk of Court using CM/ECF which will send electronic notification of such filing(s) to all registered counsel.

/s/ Jay Johnson

Jay Johnson